

ROGER LEE DEAL, SR.,

V.

Defendants.

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order[ed] by my daughter April Cruz.

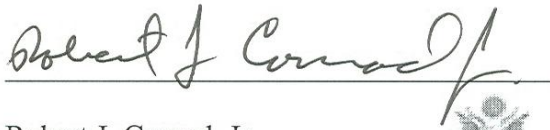
(Doc. No. 1 at 4). As requested relief, Plaintiff asked “[t]o be allow[ed] to get my Christmas package and nominal and punitive damages for a prolong stay in ICON a year for a[n] assault [where] I was not at fault and had my lip sp[l]it open having to go to the hospital to have lip sown up and sever[e] back pain w[h]ere I had L4-L5 fused by Dr. Price in 2007 in which I now have to take methadone[e] 20 mg three times a day, and any other award that the judge may seem fit.” (Id.).

In an Order dated January 15, 2014, this Court noted that Plaintiff is a frequent filer of civil rights lawsuits and that he has reached three strikes under 28 U.S.C. § 1915(g). (Doc. No. 9). In its Order, the Court found that Plaintiff had not demonstrated in this action that he is under imminent danger of serious physical injury as required by § 1915(g). The Court, therefore, ordered Plaintiff to pay the remaining balance owed on the filing fee within twenty days or the action would be subject to dismissal without further notice to Plaintiff. Plaintiff has failed to pay the filing fee as ordered by this Court or to otherwise respond to the Court’s Order dated January 15, 2014. Because Plaintiff has failed to pay the filing fee, the Court will now dismiss this action under the three strikes rule of 28 U.S.C. § 1915(g).

IT IS, THEREFORE, ORDERED that:

1. This action is **DISMISSED** without prejudice.
2. Plaintiff’s Motion for Summary Judgment, (Doc. No. 8), is **DENIED** as moot.
3. The Court further certifies that an appeal of this Order would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).
4. The Clerk is directed to terminate this action.

Signed: April 25, 2014

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

